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**UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION**

NORTH ATLANTIC OPERATING  
COMPANY, INC. *et al.*,

Plaintiffs,

v.

LA PRICE CHECK, LLC *et al.*,

Defendants.

CASE NO. CV 17-05920 VAP  
(AFMx)

Hon. Virginia A. Phillips

**PERMANENT INJUNCTION**

Action Filed: Aug. 9, 2017  
Trial Date: Aug. 28, 2018

1           The Court, having considered the Joint Stipulation for Entry of Permanent  
2 Injunction as to Defendants LA Price Check, LLC, Khairunnish Rajani, New  
3 Rainbow, Inc., and Shaukat Ali Rajani (“Price Check Defendants”), entered into by  
4 and between the Price Check Defendants and Plaintiffs North Atlantic Operating  
5 Company, Inc. and National Tobacco Company, L.P. (together, “North Atlantic”  
6 or “Plaintiffs”), and for good cause appearing therefor, **IT IS HEREBY**

7 **ORDERED THAT:**

8           Pursuant to Federal Rule of Civil Procedure 65 and the Lanham Act, 15  
9 U.S.C. § 1501 *et seq.*, Price Check Defendants, as well as their agents, servants,  
10 employees, attorneys, officers, and other representatives, and all other persons in  
11 active concert or participation with them, or each of them, who receive actual  
12 notice of this Order by personal service or otherwise, are hereby permanently  
13 enjoined and restrained from, directly or indirectly, anywhere in the world  
14 (“Permanent Injunction”):

- 15           a. Manufacturing, making, buying, purchasing, importing, shipping,  
16           delivering, advertising, marketing, promoting, offering to sell, selling,  
17           or otherwise distributing or disposing of, in any manner, any  
18           authentic, counterfeit, or infringing ZIG-ZAG® brand products,  
19           including but not limited to ZIG-ZAG® 1 ¼ Size French Orange  
20           cigarette paper products (“ZIG-ZAG® Orange”), or any products  
21           bearing:

1           b. The ZIG-ZAG® Trademarks<sup>1</sup>, the NAOC® Trademarks<sup>2</sup>, the  
2           NAOC© Copyright<sup>3</sup>, and/or the ZIG-ZAG® Orange Trade Dress<sup>4</sup>;  
3           and/or

4           c. The statement that such products are “Distributed by North Atlantic  
5           Operating Company, Inc.” or otherwise under the control or  
6           supervision of North Atlantic;

7       b) Manufacturing, making, buying, purchasing, importing, shipping, delivering,  
8       advertising, marketing, promoting, offering to sell, selling, or otherwise  
9       distributing or disposing of, in any manner, any North Atlantic products, or  
10      purported North Atlantic products that are not actually produced, imported,  
11      or distributed under North Atlantic’s control or supervision, or approved for  
12      sale in the United States by North Atlantic in connection with the ZIG-  
13      ZAG® Trademarks, the NAOC® Trademarks, the NAOC© Copyright, or  
14      the ZIG-ZAG® Orange Trade Dress;

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17           <sup>1</sup> Defined as the marks of U.S. Registration Nos. 610,530 (ZIG-ZAG (stylized));  
18           1,127,946 (ZIG-ZAG (Word Mark)); 2,169,540 (Smoking Man Design (Circle  
19           Border)); 2,169,549 (Smoking Man Design (No Border)).

20           <sup>2</sup> Defined as the marks of U.S. Registration Nos. 2,664,694 and 2,664,695  
21           (NORTH ATLANTIC OPERATING COMPANY INC. and Gear Design); and  
22           2,610,473 and 2,635,446 (NORTH ATLANTIC OPERATING COMPANY (Word  
23           Mark)).

24           <sup>3</sup> Defined as the work of the federal copyright registration for the visual  
25           material/computer graphic titled “North Atlantic Operating Company, Inc.” (VAu  
26           464-855).

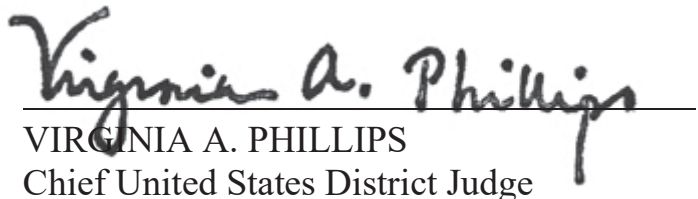
27           <sup>4</sup> Defined as the distinctive design elements comprising the overall look and feel of  
28           ZIG-ZAG® Orange packaging (booklets and cartons), including at least the  
          following: (1) ZIG-ZAG® and NAOC® Trademarks, (2) NAOC© Copyright, (3)  
          gold-fill lettering and design elements, (4) French phrases such as “Qualite  
          Superieure” and “Braunstein Freres France,” and (5) the express statements that  
          the products are “Made in France” or “Imported French”, or “Distributed by North  
          Atlantic Operating Company, Inc.”

- 1 c) In any way infringing or damaging the ZIG-ZAG® or NAOC® Trademarks,  
2 the NAOC© Copyright, or the ZIG-ZAG® Orange Trade Dress, or the value  
3 or goodwill associated therewith;
- 4 d) Attempting, causing, or assisting in any of the above-described acts,  
5 including, but not limited to, enabling others in the above-described acts or  
6 passing on information to others to allow them to do so;
- 7 e) Destroying, altering, deleting, or otherwise disposing of any documents,  
8 records, or electronically stored information concerning the manufacturing,  
9 making, buying, purchasing, importing, shipping, delivering, advertising,  
10 marketing, promoting, offering to sell, selling, or other distribution or  
11 disposal of any product that has been, or is intended to be, sold in packaging  
12 containing, displaying, or bearing the ZIG-ZAG® or NAOC® Trademarks,  
13 the NAOC© Copyright, or the ZIG-ZAG® Orange Trade Dress; and/or
- 14 f) Forming or causing to be formed any corporation or other entity that  
15 engages in the above-described acts;
- 16 g) This injunction shall be enforceable to the extent that the ZIG-ZAG® or  
17 NAOC® Trademarks, the NAOC© Copyright, or the ZIG-ZAG® Orange  
18 Trade Dress are enforceable and protectable under the laws of the United  
19 States;

20 **IT IS FURTHER ORDERED** that violation of any or all of the foregoing  
21 provisions shall be punishable by contempt of court, entitling North Atlantic to  
22 collect liquidated damages in the amount set forth in the parties' Settlement  
23 Agreement, in addition to North Atlantic's reasonable attorneys' fees incurred in  
24 enforcing this injunction and/or collecting damages.

25 **IT IS SO ORDERED.**

26  
27 Dated: May 25, 2018

  
VIRGINIA A. PHILLIPS  
Chief United States District Judge